



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,232	09/25/2001	Michael R. Walker	M-8870 US	7891

7590 02/23/2005
MACPHERSON KWOK CHEN & HEID LLP
1762 TECHNOLOGY DRIVE
SUITE 226
SAN JOSE, CA 95110

EXAMINER

ENG, GEORGE

ART UNIT	PAPER NUMBER
----------	--------------

2643

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/965,232

Applicant(s)

WALKER ET AL.

Examiner

George Eng

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/17/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 10/17/2001 has been considered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-15, 17-23, 25-42, 44-50 and 52-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Treyz et al. (US PAT. 6,526,335 hereinafter Treyz) in view of Hayashi et al. (JP 10291446A hereinafter Hayashi).

Regarding claim 1, Treyz discloses an automobile computer system (14, figure 3), functioning as an in-vehicle wireless communication system handset controller, comprising a central processing unit (72, figure 3), a memory (80, figure 3), an input unit (126, figure 3) obviously comprising data input keys larger than keys on a keypad of an external handset and an output unit (88, figure 3) obviously comprising a display larger than a display of the handset, wherein the displayed message text characters on the output display are larger than display message text characters on the handset display (col. 13 line 38 through col. 15 line 8), wherein the memory containing first coded instructions enables the central processing unit to control telephone number dialing by the handset coupled to the automobile computer system and to control receipt and sending message by the handset (col. 19 lines 51-54 and col. 45 lines 49-56). Treyz differs from the claimed invention in not specifically teaching the memory containing second coded instructions enabling the central processor unit to output a warning to a user if the handset is not coupled to the handset controller. However, Hayashi teaches a telephone system comprising a warning unit generating warning based on the connection state of a portable telephone mounted in a vehicle and the vehicle state in order to inform the connection status to a user, thereby making user friendly (abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Treyz in having the memory containing second coded instructions enabling the central processor unit to output a warning to a user if the handset is not coupled to the handset controller, as per teaching of Hayashi, in order to inform the connection status to a user, thereby making user friendly.

Regarding claim 2, Treyz discloses the automobile computer system comprising a global positioning system chipset (112, figure 3) coupled to the central processing unit (72, figure 3).

Art Unit: 2643

Regarding claim 3, Treyz discloses at least a portion of the messages being short message service messages (col. 12 lines 54-63).

Regarding claims 4-6, Hayashi teaches to generate audible warning based on the connection state of a portable telephone mounted in a vehicle and the vehicle state (abstract).

Regarding claim 7, Treyz teaches a touch screen display containing data input keys for entering data (col. 18 lines 34-40) so that the data input keys are obviously backlighted.

Regarding claim 8, Treyz teaches the keys being provided as a keyboard (col. 14 lines 41-42), which the number of data input keys are obviously larger than the number of key on the handset keypad.

Regarding claim 9, Treyz discloses the display including liquid crystal display (col. 13 lines 52-53), which is obviously backlighted.

Regarding claims 10-11, Treyz teaches the automobile computer system being arranged to be viewable by the driver and having a movable display (col. 17 lines 28-49) so that the controller is rigidly positioned in the interior of the vehicle to allow a driver of the vehicle to view messages on the display and to operate the data input keys while seated in a driver's seat, and the display can be a heads-up display positioned such that a driver of the vehicle sees a displayed image while looking through a windshield of the vehicle.

Regarding claim 12, Treyz discloses the automobile computer system comprising a voice command input unit coupled to allow the user to dial a telephone number to be accessed by the handset and to managing messages received by the handset (col. 19 line 55 through col. 20 line 8).

Art Unit: 2643

Regarding claim 13, Treyz discloses a voice synthesizer unit coupled to audibly output a message received by the handset (col. 20 lines 13-29).

Regarding claims 14-15, Treyz discloses the automobile computer system coupled to the handset via a wireless link, wherein the handset is a cellular telephone handset (figure 13 and col. 19 lines 41-54).

Regarding claim 17, Treyz discloses a method for controlling a wireless communication handset comprising using keys on an automobile computer system to control telephone number dialing by the handset and to control receipt and sending of messages by the handset, the key on the controller being larger than keys on the handsets, and displaying messages received by the handset such that displayed message text characters are larger than message text characters displayed by the handset (col. 19 lines 51-54, col. 28 line 34 through col. 29 line 62 and col. 45 lines 49-56). Treyz differs from the claimed invention in not specifically teaching to output a warning to a user if the handset is not coupled to the handset controller. However, Hayashi teaches a telephone system comprising a warning unit generating warning based on the connection state of a portable telephone mounted in a vehicle and the vehicle state in order to inform the connection status to a user, thereby making user friendly (abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Treyz in outputting a warning to a user if the handset is not coupled to the handset controller, as per teaching of Hayashi, in order to inform the connection status to a user, thereby making user friendly.

Regarding claims 18-19, the limitations of the claims are rejected as the same reasons set forth in claims 4-6.

Regarding claim 20, the limitations of the claim are rejected as the same reasons set forth in claim 7.

Regarding claim 21, the limitations of the claim are rejected as the same reasons set forth in claim 9.

Regarding claim 22, the limitations of the claim are rejected as the same reasons set forth in claims 10-11.

Regarding claim 23, the limitations of the claim are rejected as the same reasons set forth in claim 12.

Regarding 25, Treyz discloses to use the automobile computer system to determine a geographical position of the vehicle and to send the determined position to a computer (col. 11 line 56 through col. 12 line 12).

Regarding claim 26, Treyz discloses the automobile computer system capable of utilizing various formats to transmit and receive data (col. 12 lines 54-63) so that one skill in the art would recognize the automobile computer system comprising the acts of receiving a plurality of messages, wherein each unique received message is formatted by a corresponding unique sender in one of a plurality of communication protocols, identifying the communication protocol and format of each received message, and outputting each unique received message as formatted by each corresponding unique sender.

Regarding claim 27, Treyz discloses to provide bi-directional links for supporting cellular voice and data communication for interactive service (col. 12 lines 21-44) so that one skill in the art would recognize one of the received messages being a cargo pickup or delivery instruction to a driver of the vehicle.

Regarding claim 28, the limitations of the claim are rejected as the same reasons set forth in claim 1.

Regarding claim 29, the limitations of the claim are rejected as the same reasons set forth in claim 2.

Regarding claim 30, the limitations of the claim are rejected as the same reasons set forth in claim 3.

Regarding claims 31-33, the limitations of the claims are rejected as the same reasons set forth in claims 4-6.

Regarding claim 34, the limitations of the claim are rejected as the same reasons set forth in claim 7.

Regarding claim 35, the limitations of the claim are rejected as the same reasons set forth in claim 8.

Regarding 36, the limitations of the claim are rejected as the same reasons set forth in claim 9.

Regarding claims 37-38, the limitations of the claims are rejected as the same reasons set forth in claims 10-11.

Regarding claim 39, the limitations of the claim are rejected as the same reasons set forth in claim 12.

Regarding claim 40, the limitations of the claim are rejected as the same reasons set forth in claim 13.

Regarding claims 41-42, the limitations of the claims are rejected as the same reasons set forth in claims 14-15.

Art Unit: 2643

Regarding claim 44, the limitations of the claim are rejected as the same reasons set forth in claim 17.

Regarding claim 45, the limitations of the claim are rejected as the same reasons set forth in claim 18.

Regarding claim 46, the limitations of the claim are rejected as the same reasons set forth in claim 19.

Regarding claim 47, the limitations of the claim are rejected as the same reasons set forth in claim 20.

Regarding claim 48, the limitations of the claim are rejected as the same reasons set forth in claims 21.

Regarding claim 49, the limitations of the claim are rejected as the same reasons set forth in claim 22.

Regarding claim 50, the limitations of the claim are rejected as the same reasons set forth in claim 23.

Regarding claim 52, the limitations of the claim are rejected as the same reasons set forth in claim 25.

Regarding claim 53, the limitations of the claim are rejected as the same reasons set forth in claim 26.

Regarding claim 54, the limitations of the claim are rejected as the same reasons set forth in claim 27.

Art Unit: 2643

4. Claims 16, 24, 43 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Treyz et al. (US PAT. 6,526,335 hereinafter Treyz) in view of Hayashi et al. (JP 10291446A hereinafter Hayashi) as applied in claims above, and further in view of Nickum (US PAT. 6,760,600).

Regarding claim 16, the combination of Treyz and Hayashi differs from the claimed invention in not specifically teaching to use a power supply in the automobile computer system to charge a battery in the handset. However, Nickum teaches a computer apparatus adapted to operatively connected to a cellular telephone, comprising a power supply (18, figure 1) or external power source coupled to charge a battery in the cellular telephone (col. 3 line 20 through col. 4 line 15) in order to provide better ways to manage batteries used to power such devices. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Treyz and Hayashi in using a power supply in the automobile computer system to charge a battery in the handset, as per teaching of Nickum, in order to provide better ways to manage batteries used to power such devices.

Regarding claims 24, 43 and 51, the limitations of the claims are rejected as the same reasons set forth in claim 16.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Huh et al. (US 2003/0008680) discloses a wireless communications relative to a vehicle using a wireless communication device and a docking station (abstract). Damiani et al. (US PAT. 6,369,717) discloses an user interface having a display unit for displaying user


Art Unit: 2643

activating functions (col. 1 lines 27-57). Kitao et al. (US 2002/0032048) discloses a hand-free videophone system that includes a videophone terminal and a car device (abstract). Buckley (US PAT. 6,246,935) discloses a vehicle instrument panel computer interface and display for providing communication between a stand-alone removable computer and an electrical system of a vehicle (abstract).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


George Eng
Primary Examiner
Art Unit 2643